

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**LORETTA BURTON,**  
**Plaintiff**

**v.**

**OZBURN HESSEY LOGISTICS,**  
**Defendant**

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**No. 1:14-cv-1068**

**(Judge Kane)**

**(Magistrate Judge Blewitt)**

**ORDER**

**AND SO**, this 30<sup>th</sup> day of January, 2015, **IT IS HEREBY ORDERED THAT**

Magistrate Judge Blewitt's Report and Recommendation (Doc. No. 32) is **ADOPTED IN PART**  
as follows:

1. Defendant's motion to dismiss (Doc. No. 25) is **GRANTED**,
2. Plaintiff's claims arising under Title VII are **DISMISSED WITH PREJUDICE**,
3. Plaintiff's claims arising under state law are **DISMISSED WITHOUT PREJUDICE** to re-file in state court,
4. Defendant's motion for attorney's fees (Doc. No. 23) is **DENIED**; and
5. The Clerk of Court is directed to close the case.

S/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania